

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12-mc-0115 (JSR)

In re:

MADOFF SECURITIES

**NOTICE OF ANTECEDENT DEBT DEFENDANTS' MOTION
FOR 28 U.S.C. § 1292(b) CERTIFICATION**

PLEASE TAKE NOTICE THAT the Antecedent Debt Defendants (as defined by the Court's Order, *In re Madoff Sec.*, No. 12-mc-0115 (JSR), (S.D.N.Y. May 12, 2012), ECF No. 107), represented by the counsel listed below will move the Honorable Jed S. Rakoff, United States District Judge, on November 26, 2013, to amend the Court's Opinion and Order of October 15, 2013 ("the Order") to include a certification under 28 U.S.C. § 1292(b), pursuant to Federal Rule of Appellate Procedure 5(a)(3), Rule 59 of the Federal Rules of Civil Procedure, and Federal Rule of Bankruptcy Procedure 9023. The Antecedent Debt Defendants seek leave to appeal the Court's interlocutory ruling on the issues addressed in the Order.

The Motion is based upon the accompanying Memorandum, the briefing and supporting materials on the merits of the antecedent debt issues, all other pleadings and papers

filed in these proceedings, and any other matters that may properly come before the Court. Pursuant to the briefing schedule approved by the Court on October 25, 2013, responsive papers, if any, must be filed and served on or before November 19, 2013, and reply papers, if any, must be filed and served on or before November 26, 2013. The Motion will be considered on the papers.

Dated: October 29, 2013

K&L GATES LLP

By: /s/ Richard A. Kirby
Richard A. Kirby
Laura L. Clinton
Martha Rodriguez-Lopez

1601 K Street NW
Washington, DC 20006-1600

BECKER & POLIAKOFF LLP

By: /s/ Helen Davis Chaitman
Helen Davis Chaitman
45 Broadway
New York, NY 10006

**KLEINBERG, KAPLAN, WOLFF &
COHEN, P.C.**

By: /s/ Matthew J. Gold
David Parker
Matthew J. Gold
551 Fifth Avenue
New York, New York 10176

**KRAMER LEVIN NAFTALIS & FRANKEL
LLP**

By: /s/ Elise S. Frejka
Philip Bentley
Elise S. Frejka
Jason Rappaport
1177 Avenue of the Americas
New York, New York 10036

KUDMAN TRACHTEN ALOE LLP

By: /s/ Paul H. Aloe
Paul H. Aloe
Evan S. Cowit
The Empire State Building
350 Fifth Avenue, Suite 4400
New York, New York 10118

LOEB & LOEB LLP

By: /s/ P. Gregory Schwed
Walter H. Curchack
P. Gregory Schwed
Daniel B. Besikof
345 Park Avenue
New York, New York 10154

STUTMAN, TREISTER & GLATT, PC

By: /s/ William P. Weintraub
William P. Weintraub
Gregory W. Fox
Kizzy L. Jarashow
675 Third Avenue, Suite 2216
New York, New York 10017
(212) 235-0800

Of Counsel:

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

Marc E. Kasowitz
Daniel J. Fetterman
David J. Mark
1633 Broadway
New York, New York 10019

PRYOR CASHMAN LLP

Richard Levy, Jr.
7 Times Square
New York, New York 10036-6569

SCHULTE ROTH & ZABEL LLP

Marcy Ressler Harris
Jennifer M. Opheim
Mark D. Richardson
919 Third Avenue
New York, New York 10022

SNR DENTON US LLP

Carole Neville, Esq.
1221 Avenue of the Americas
New York, NY 10020